



PLANNING COMMISSION AGENDA

LEE BRAND, Chair

Commission Members
CHARLES VANG, Vice Chair
NUEL BROWN
NAT DIBUDUO
HAL KISSLER

Planning and Development
Director/Secretary
NICK P. YOVINO

Deputy City Attorney
KATHRYN C. PHELAN

The Planning Commission welcomes you to this meeting.

October 6, 2004

Wednesday

6:00 p.m. to 9:30 p.m.

COUNCIL CHAMBER

2600 FRESNO STREET

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call Planning and Development staff at 621-8277.

Metered parking is in effect throughout the downtown area. The general public wishing to attend a Planning Commission meeting at City Hall may park after 5 p.m. in the parking lot at the northeast corner of Tulare and P Streets or in the parking lot east of City Hall across the railroad tracks. Both parking lots have entrances from Tulare Street, and parking restrictions have been relaxed in these lots for those in attendance at the Planning Commission meeting.

I. ROLL CALL

II. PLEDGE OF ALLEGIANCE

III. PROCEDURES

In accordance with Section 13 of Article 2 of the Planning Commission Rules and Regulations governing length of public debate, all testimony given will be limited to five minutes per person. The three lights on the podium next to the microphone will indicate the amount of time remaining for the speaker. The green light will be turned on when the speaker begins. The yellow light will come on with a soft bell ring when one minute is remaining. The speaker should be completing the testimony by the time the red light comes on with a final bell indicating that time has expired.

If you challenge these land use matters in court, you may be limited to raising only those issues you or someone else raised in oral or written testimony at or before the close of the hearing.

For each matter considered by the Commission, there will first be a staff presentation, followed by a presentation from the project applicant. Testimony from supporters of the project will then be taken, followed by testimony from those in opposition. The applicant will have the right to a final rebuttal presentation prior to closing the public hearing.

IV. AGENDA APPROVAL

- A. Consent Calendar Requests
- B. Continuance Requests
- C. Other Agenda Changes

V. CONSENT CALENDAR

All Consent Calendar items are considered by the Planning Commission to be routine and will be enacted in one motion. There will be no separate discussion of these items unless requested, in which event the items will be removed from the Consent Calendar and considered prior to approval of the Consent Calendar. If any member of the public wishes to have a specific item removed for discussion, be present when the meeting is called to order and the Chair announces the Consent Calendar. Commission approval of Consent Calendar items for which there is no discussion shall constitute adoption of the staff recommendation.

A. Minutes

B. Communications

1. Consideration of landscaping plans for Vesting Tentative Tract Map No. 5290, located at the southwest corner of East Hamilton and South Armstrong Avenues, previously heard by the Planning Commission at their meeting on September 15, 2004. The tract map has been filed by Quad Knopf, on behalf of Centex Homes.

C. Entitlements

1. Consider rescission of Planning Commission action of October 17, 2001, approving Conditional Use Permit Application No. C-00-181 (West Coast Waste, Inc., filed by Dennis Balakian) as required by order of the Fifth District Court of Appeal that the Planning Commission void, rescind, vacate, and set aside approval of this special permit.

VI. REPORTS BY COMMISSIONERS

VII. CONTINUED MATTERS

VIII. NEW MATTERS

- A. Consideration of Rezone Application No. R-04-38, Conditional Use Permit Application No. C-04-105 and environmental findings, filed by George A. Burman, on behalf of the Unitarian Universalist Church, for 5.1 acres of property located on the north side of East Alluvial Avenue, between North Chestnut and North Willow Avenues.
1. Environmental Assessment No. R-04-38, C-04-105, determination of Initial Study to file a Finding of Conformance with MEIR No. 10130 for the 2025 Fresno General Plan.
 2. Rezone Application No. R-04-38, proposes to rezone the subject property from the RR (*Rural Residential – Fresno County*) zone district to the R-1-A/UGM (*Single Family Residential/Urban Growth Management*) zone district.
 3. Conditional Use Permit Application No. C-04-105, proposes to construct the Unitarian Universalist Church and related facilities.
 - Woodward Park Community Plan Area
 - Council District 6 (Councilmember Duncan)
 - Staff Member: Sara Gerster
 - Staff Recommendation: Recommend Approval to City Council of rezone application; Approve conditional use permit application
 - Will be considered by City Council (Rezone Application only)
- B. Consideration of Plan Amendment Application No. A-03-16 and Rezone Application No. R-03-77 and environmental findings, filed by Copper River Ranch for 2.37 acres of property located on the northeast and southeast corners of North Friant Road and East Copper Avenue.
1. Environmental Assessment No. A-03-16, R-03-77, determination of Initial Study to file a Mitigated Negative Declaration.
 2. Plan Amendment Application No. A-03-16, proposes to amend the 2025 Fresno General Plan and the Woodward Park Plan relating to a 2.37-acre area located on the northeast and southeast corners of North Friant Road and the new East Copper Avenue from high density residential (2.0 acres) and medium density residential (0.37 acres) land use designations to the neighborhood commercial (2.0 acres) and public facility (0.37 acres) land use designations, respectively. The amendment also proposes to extend the multi-purpose trail from Copper Avenue southerly to include a remnant parcel that is 30 feet wide by 800 feet in length, which is located on the east side of the Woodward Lakes Development extending down along the old Millbrook Avenue alignment to Olympic Avenue. Lastly, the plan amendment will remove the equestrian portion from the multi-purpose trail including the new extended area.
 3. Rezone Application No. R-03-77, proposes a change in zone district from the R-3/UGM/cz (*Medium Density Multiple Family Residential/Urban Growth Management/conditional zoning*) zone district to the C-1/UGM/cz (*Neighborhood Shopping Center/Urban Growth Management/conditional zoning*) zone district for 2.0 acres and from the R-1/UGM/cz (*Single Family Residential/Urban Growth Management/conditional zoning*) zone district to the P/UGM (*Parking/Urban Growth Management*) for 0.37 acres on the northeast and southeast corners of North Friant Road and East Copper Avenue respectively.
 - Woodward Park Community Plan Area
 - Council District 6 (Councilmember Duncan)
 - Staff Member: Michael Sanchez
 - Staff Recommendation: Recommend Approval to City Council
 - Will be considered by City Council

VIII. NEW MATTERS – Continued

- C. Consideration of an appeal of the Planning and Development Director's denial of Variance Application No. V-04-15, filed by Jack Fletcher, for the development of 0.43 acres of property located on the east side of North Fulton Avenue between East Nevada and East Mildreda Avenues. Request to construct a six (6) foot high ornamental iron fence located on the front property line of a parcel developed with a residence that was relocated from the Freeway 180 corridor by Caltrans and is listed on the City's historic register.
1. Categorically exempt from the provisions of CEQA under Section 15303/Class 3 of the State of California CEQA Guidelines.
 2. Variance Application No. V-04-15, as described above.
 - Central Community Plan Area, Fulton/Lowell Specific Plan Area
 - Council District 3 (Councilmember Sterling)
 - Staff Member: Will Tackett
 - Staff Recommendation: Deny appeal; Uphold Director's Denial
 - May be considered by City Council
- D. Consideration of an appeal of the Planning and Development Director's approval of Variance Application No. V-04-25, filed by Sokha Leng, for the development of 0.33 acres of property located on the northeast corner of East Kings Canyon Road and South Dearing Avenue. Request to reduce the off-street parking requirement for a proposed 3,948 square foot grocery store located on property in the C-6 (*Heavy Commercial*) zone district.
1. Categorically exempt from the provisions of CEQA under Section 15301/Class 1 of the State of California CEQA Guidelines.
 2. Variance Application No. V-04-25, as described above.
 - Roosevelt Community Plan Area
 - Council District 5 (Councilmember Dages)
 - Staff Member: Will Tackett
 - Staff Recommendation: Appeal withdrawn; Remove from agenda
 - May be considered by City Council
- E. Consideration of Vesting Tentative Tract Map No. 5215, filed by Sherman Spradling, for the development of 6.8 acres with a 35-lot single family residential subdivision zoned R-1 and R-2, located on the easterly side of South Orange Avenue, between East California and East Dwight Avenues.
1. Environmental Assessment No. T-5215, determination of Initial Study to file a Mitigated Negative Declaration.
 2. Vesting Tentative Tract Map No. 5215, as noted above.
 - Roosevelt Community Plan Area
 - Council District 5 (Councilmember Dages)
 - Staff Member: Donn Beedle
 - Staff Recommendation: Approve
 - May be considered by City Council

VIII. NEW MATTERS – Continued

- F. Consideration of Vesting Tentative Tract Map No. 5294/UGM and Rezone Application No. R-04-25, filed by Union Community Holdings, for the development of 20 acres located on the west side of South Temperance Avenue, between East Butler Avenue and East Kings Canyon Road.
1. Environmental Assessment No. T-5294, R-04-25, determination of Initial Study to file a Finding of Conformance with MEIR No. 10130 for the 2025 Fresno General Plan.
 2. Vesting Tentative Tract Map No. 5294/UGM, proposes an 83-lot (plus one outlot) single family residential subdivision.
 3. Rezone Application No. R-04-25, proposes to rezone the subject property from the AE-20/UGM (*Exclusive Twenty Acre-Agricultural/Urban Growth Management*) zone district to the R-1/UGM (*Single Family Residential/Urban Growth Management*) zone district.
 - Roosevelt Community Plan Area
 - Council District 5 (Councilmember Dages)
 - Staff Member: David Braun
 - Staff Recommendation: Recommend Approval of the rezone application to the City Council; Approve the tentative tract map
 - Will be considered by City Council (Rezone Application only)
- G. Consideration of Tentative Tract Map No. 5356/UGM, filed by Cal Star Industries, for the development of 2.39 acres with a nine-lot single family residential subdivision zoned R-1/UGM, located on the south side of West Ashlan Avenue, between North Cornelia and North Polk Avenues.
1. Environmental Assessment No. A-04-13, T-5356, determination of Initial Study to file a Mitigated Negative Declaration.
 2. Tentative Tract Map No. 5356/UGM, as noted above.
 - West Area Community Plan Area
 - Council District 1 (Councilmember Boyajian)
 - Staff Member: Bonique Salinas
 - Staff Recommendation: Approve
 - May be considered by City Council

IX. REPORT FROM SECRETARY

X. UNSCHEDULED ORAL COMMUNICATIONS

You may address the Planning Commission at the conclusion of the Commission meeting regarding matters of public interest that are not listed on the agenda and that are within the Commission's jurisdiction. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on the Planning Commission agenda should contact the Planning and Development Department, (559) 621-8277, at least 10 days before the desired appearance date.

XI. ADJOURNMENT